

## **Federal Operating Permit**

### **Article 1**

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	BASF Corporation
Facility Name:	BASF Corporation-Portsmouth Site
Facility Location:	3340 West Norfolk Road, Portsmouth, VA
Registration Number:	60291
Permit Number:	VA-60291

August 29, 2003  
Original Permit Effective Date  
March 27, 2006  
Modification Effective Date  
August 29, 2008  
Expiration Date

\_\_\_\_\_  
(for)  
David K. Paylor  
Director, Department of Environmental Quality

March 27, 2006  
Signature Date

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## **I. Facility Information**

### **Permittee**

BASF Corporation  
3340 West Norfolk Road  
Portsmouth, VA

### **Responsible Official**

Kevin Heitzhaus  
Plant Manager

### **Facility**

BASF Corporation-Portsmouth Site  
3340 West Norfolk Road  
Portsmouth VA 23703

### **Contact Person**

Bernadette Reese  
Senior Environmental Engineer  
(757) 483-7206

**County-Plant Identification Number:** 51-740-00024

**Facility Description:** NAICS 325211 – BASF Corporation owns and operates this Super Absorbent Materials (SAM) Plant in Portsmouth, Virginia. The facility manufactures sodium polyacrylate, which is used as a raw material by manufacturers of baby diapers and other absorbent products, and requires a Title V operating permit because it is a major source under Title V of the Clean Air Act Amendments of 1990 for one hazardous air pollutant (HAP), acrylic acid. This stationary source was formerly owned by Clariant Corporation (Hoechst Celanese Corporation prior to that), and operates under a minor new source review (NSR) permit issued by DEQ on November 7, 1997, and last amended on August 9, 2005.

## II. Emissions Units

Emissions unit groups operated in the SAM Plant consists of:

Emissions Unit ID	Stack ID	Emissions Unit Groups	Size/Rated Capacity*	Applicable Permit Date
<b>Process A – <u>Raw Materials Storage and Handling</u></b>				
		Raw Material Feed Tanks		08/09/05
		Raw Material Adjustment Tanks		08/09/05
		Raw Material Storage Tank A;		08/09/05
		Raw Material Storage Tank B		08/09/05
		Truck/Railcar Loadout, and Scrubber		08/09/05
		Polyol Tank.		08/09/05
<b>Process B – <u>Process Lines</u></b>				
		Reactors		08/09/05
		Recycle Filter Receiver Baghouses		08/09/05
		Gel Chopper Vents without Baghouses;		08/09/05
		Dryer Vents		08/09/05
		Milling Area Vents		08/09/05
		Milling Filter Receivers		08/09/05
<b>Process C – <u>Sifting, Treatment, and Packaging</u></b>				
		Pre Sifter Feeder Filter Receivers;		08/09/05
		Additive Tank		08/09/05
		Solvent Recycle		08/09/05
		Process G Operations		08/09/05
		Filter Receivers		08/09/05
		Process G Feeder		08/09/05
		Coolers		08/09/05
		Baggers		08/09/05
		Rework Station		08/09/05
		Blender		08/09/05
		Silo/Blenders		08/09/05
		Post Sifter Feeder Filter Receivers		08/09/05
		Condensate Tank		08/09/05
		Cooler Exhausts		08/09/05

\* Individual emission points and associated control devices are outlined in Conditions III.A.1 and III.A.2. Pollutants and hourly and annual emission rates from each process emission point are specified in Conditions III.A.6, III.A.7, and III.A.8. Individual process rates were determined by DEQ to be treatable as confidential, at the source's request, and so are not defined in the table.

### III. Process Equipment Requirements – (SAM Process Emissions Units)

#### A. Limitations (SAM Process Emissions Units)

1. **Emission Controls.** Particulate matter from the following emission points shall be controlled by baghouses at least 99.9 percent efficient, a design-basis value based on a five grain/dscf inlet level:

**Process Lines.**

- Recycle Filter Receiver Baghouses;
- Milling Area Vents.

**Sifting, Treatment, and Packaging.**

- Pre Sifter Feeder Filter Receivers;
  - Feed Receivers;
  - Process G Feeder;
  - Coolers
  - Baggers;
  - Bagger Filter Receiver;
  - Rework Station and Blender;
  - Silo/Blenders;
  - Post Sifter Feeder Filter Receivers.
- (9 VAC 5-80-110, and Condition 3 of 08/09/05 NSR Permit)

2. **Emission Controls.** VOC emissions from raw materials storage tanks and truck/railcar loadout shall be controlled by a scrubber at least 95 percent efficient.  
(9 VAC 5-80-110 and Condition 4 of 08/09/05 NSR permit)
3. **Production Limit.** Production of polyacrylate shall not exceed Limit A, calculated monthly as the sum of each consecutive 12-month period.  
(9 VAC 5-80-110 and Condition 6 of 08/09/05 NSR permit)
4. **Chemical F Throughput Limits** - Consumption of sulfur bearing chemical (Chemical F) shall equal or exceed Limit B, determined on a monthly-average basis. Daily consumption of sulfur bearing chemical (Chemical F) shall not exceed Limit C.  
(9 VAC 5-80-110 and Condition 7 of 08/09/05 NSR permit)
5. **Chemical T Throughput Limits** - Consumption of chemical T shall not exceed Limit D, calculated monthly as the sum of each consecutive 12-month period.  
(9 VAC 5-80-110 and Condition 8 of 08/09/05 NSR permit)
6. **Emission Limits.** Raw Materials Storage and Handling emissions shall not exceed the following limits:

<b><i>Source</i></b>	<b><i>Lb/hr</i></b>	<b><i>Tn/yr</i></b>	<b><i>Pollutant</i></b>
Raw material feed tanks (combined)	0.24	1.04	VOC
Raw material adjustment tanks (combined)	0.04	0.01	VOC
Storage tanks, truck/railcar loadout, scrubber (combined)	0.23	0.15	VOC
TOTAL (STORAGE AND HANDLING)	0.51	1.20	VOC

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers III.A.2 & 3, and III.C.7. (9 VAC 5-80-110, and Condition 9 of 08/09/05 NSR permit)

7. **Emission Limits.** Process Line emissions shall not exceed the following limits:

<i><b>Source</b></i>	<i><b>Lb/hr</b></i>	<i><b>Tn/yr</b></i>	<i><b>Pollutant</b></i>
Reactors, combined	2.4	2.52	VOC
Dryers, combined	24.8	86.0	VOC
	20.6	71.4	Sulfur Dioxide
	0.4	1.2	Sulfuric Acid Mist
	15.1	52.2	PM / PM-10
Dump Station	0.01	0.04	PM / PM-10
Fines Silo Group 1, combined	0.15	0.60	PM / PM-10
Recycle Filter Receiver Group 1, combined	0.08	0.40	PM / PM-10
Recycle Filter Receiver Group 2, combined	0.06	0.40	PM / PM-10
Fines Silo Group 2	0.01	0.04	PM / PM-10
Milling Filter Receiver	0.01	0.04	PM / PM-10
Gel Choppers, combined	0.36	1.60	PM / PM-10
Milling Area Vents Group 1, combined	0.40	1.6	PM / PM-10
Milling Area Vents Group 2, combined	0.48	2.04	PM / PM-10
Milling Area Vents Group 3, combined	0.16	0.80	PM / PM-10
Surge Hoppers Group 1, combined	0.40	1.84	PM / PM-10
Surge Hoppers Group 2, combined	0.16	0.80	PM / PM-10
TOTAL (PROCESS LINES, COMBINED) (May not be the sum of the individual limits.)	27.2	88.5	VOC
	20.6	71.4	Sulfur Dioxide
	0.30	1.2	Sulfuric Acid Mist
	17.3	62.6	PM / PM-10

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers III.A.1, 3-5, 9, 10, III.B.2-3, and III.C.7. (9 VAC 5-80-110, and Condition 10 of 08/09/05 NSR permit)

8. **Emission Limits.** Emissions from Sifting, Treatment, and Packaging shall not exceed limits specified below:

<i>Source</i>	<i>Lb/hr</i>	<i>Tn/yr</i>	<i>Pollutant</i>
Pre Sifter Feeder Filter Receivers Group 1 (combined)	0.33	1.38	PM / PM-10
Pre Sifter Feeder Filter Receiver Group 2	0.07	0.31	PM / PM-10
Solvent Recycle Vent	0.28	1.23	VOC
Process G Operations Group 1 (combined)	0.40	1.75	VOC
Process G Operation Group 2	0.31	1.36	VOC
Filter Receivers (combined)	0.24	1.05	PM / PM-10
Process G Feeder	0.01	0.10	PM / PM-10
Cooler Exhausts Group 1 (combined)	0.08	0.32	PM / PM-10
Cooler Exhaust Group 2	0.02	0.09	PM / PM-10
Baggers Group 1 (combined)	0.26	1.20	PM / PM-10
Rework Station	0.05	0.20	PM / PM-10
Blender	0.06	0.30	PM / PM-10
Bagger Group 2	0.03	0.10	PM / PM-10
Silo/Blenders (combined)	0.08	0.40	PM / PM-10
Post Sifter Feeder Filter Receiver A	0.05	0.20	PM / PM-10
Post Sifter Feeder Filter Receiver B	0.07	0.30	PM / PM-10
Bagger Filter Receiver	0.07	0.30	PM / PM-10
Post Sifter Feeder Filter Receiver C	0.05	0.22	PM / PM-10
TOTAL (SIFTING, TREATMENT, PACKAGING) (May not be the sum of the individual limits.)	0.99 1.46	4.34 6.47	VOC PM / PM-10

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition Numbers III.A.1, 3-5, 10 and III.C.7. (9 VAC 5-50-260, 9 VAC 5-80-110, and Condition 11 of 08/09/05 NSR permit)

9. **Process Line Dryer VOC Emissions Calculations.** Total annual VOC emissions for dryers associated with all process lines, combined, shall not exceed 86.0 tons/year, and shall be calculated from the annual polyacrylate production, the most recent stack test results on acrylic acid emission factor, and annual average acetic acid and propionic acid contents in raw materials, as specified in NSR permit dated 08/09/05.

Annual process line dryer VOC emissions shall be calculated monthly, based on the previous 12 consecutive months' data as follows.

Annual polyacrylate production shall be calculated monthly as the sum of each consecutive 12-month period.



Acetic acid and propionic acid content in each acrylic acid raw material shipment shall be determined in parts per million by weight, dry (ppmwd), respectively, each averaged annually. Calculations shall be performed monthly to determine (1) monthly average acetic acid and propionic acid, each calculated as a weighted average of measured concentration per shipment, and (2) annual average acetic acid and propionic acid, each calculated as a weighted average of the previous 12 consecutive monthly averages.

(9 VAC 5-80-110 and Condition 14 of 08/09/05 NSR permit)

10. **Visible Emissions Limit.** Visible emissions from each baghouse exhaust, uncontrolled vent, and scrubber, shall not exceed five (5) percent opacity, except for one six-minute period in any one hour in which visible emissions shall not exceed twenty (20) percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.

(9 VAC 5-80-110 and Condition 16 of 08/09/05 NSR permit)

11. **Requirements by Reference-** Except where this permit is more restrictive than the applicable requirement, the MACT equipment in Condition II shall be operated in compliance with the requirements of 40 CFR 63, Subpart FFFF.

(9 VAC 5-80-110 and Condition 17 of 08/09/05 NSR permit)

## **B. Testing (SAM Process Emissions Units)**

1. **Testing/Monitoring Ports.** The permitted facility shall be constructed so as to allow for emissions testing and monitoring upon reasonable notice at any time, using appropriate methods. Test ports shall be provided at exhausts of the scrubber and each dryer; and upon request, at baghouse exhausts. Test ports shall be provided in accordance with applicable performance specifications (ref. 40 CFR 60, Appendix B).

(9 VAC 5-80-110 and Condition 5 of 08/09/05 NSR permit)

2. **Stack Testing and Reporting of Acrylic Acid Emissions** – Stack testing for acrylic acid shall be done on all the dryer vents from one process line per year. Results of three consecutive years within 5% of each other, or less than 50% of allowable emissions (if results not within 5% of each other), may allow DEQ to reduce the frequency of stack testing to one group of dryer vents every three years. The permittee shall notify the Director, Tidewater Regional Office, at least 30 days prior to testing. Stack testing and reporting shall be completed in accordance with each Emission Test Plan approved by DEQ. Test results shall be submitted to the Director, Tidewater Regional Office, within 45 days after the completion of testing. The purpose of emissions testing and reporting shall include the requirement to confirm the source's continuing compliance with hourly and annual acrylic acid emission limits for process line dryers.

(9 VAC 5-80-110 and Condition 12 of 08/09/05 NSR permit)

3. **Emission Test Plan Preparation Requirements** – The permittee shall have a test plan to determine acrylic acid emissions from stack testing. The test plan shall address all specified objectives including, but not limited to:
- Confirm ongoing compliance with permitted hourly and annual acrylic acid emission limits;
  - Confirm that EPA Test Method 18, or other acceptable method, is able to meet test requirements;
  - Propose, and address the basis for, a group of dryer vents, with emissions limits, for each periodic test, and a set of test parameters to meet test objectives; and
  - Propose, and address the suitability of, the planned initial test date, the planned overall test frequency, and scope of individual emissions tests.

Any subsequent plan, if substantially different from the initial plan, shall be submitted to the Director, Tidewater Regional Office, for approval at least 60 days prior to testing.

(9 VAC 5-80-110 and Condition 13 of 08/09/05 NSR permit)

4. **Test Methods Summary.** If testing is conducted for compliance purposes in addition to monitoring specified in this permit, the permittee shall use the following test methods, or suitable equivalent methods approved in writing by DEQ, in accordance with procedures approved by the DEQ as follows:

The following table is only required for those pollutants that have emission limits.

<b>Pollutant</b>	<b>Test Method (40 CFR Part 60, Appendix A)</b>
VOC	EPA Methods 18, 25, 25a
VOC Content	EPA Methods 24, 24a
NO <sub>x</sub>	EPA Method 7
SO <sub>2</sub>	EPA Method 6
CO	EPA Method 10
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

**C. Monitoring and Recordkeeping (SAM Process Emissions Units)**

1. **Baghouses and Differential Pressure Gauges.** All baghouses listed in Condition III.A.1 shall be provided with adequate access for inspection. Each baghouse shall be equipped with a device to continuously measure differential pressure drop through the baghouse. Each measuring device shall be installed in an accessible location, and maintained in proper working order by the permittee.  
(9 VAC 5-80-110, and Condition 3 of 08/09/05 NSR Permit)
2. **Scrubber Monitoring.** The scrubber specified in Condition III.A.2 shall be provided with adequate access for inspection. The scrubber shall be equipped with a liquid orifice flow meter with alarm, and a device to continuously measure differential pressure through the scrubber. Scrubber differential air pressure, liquid flow rates, and NaOH concentrations, shall be recorded weekly.  
(9 VAC 5-80-110 and Condition 4 of 08/09/05 NSR permit)
3. **Monitoring of Visible Emissions.** The permittee shall perform periodic visual observations on permitted SAM process vents to demonstrate compliance with opacity standards in Condition III.A.10 of this permit. The permittee shall perform such visible emission observations once per operating week to determine if emissions units have visible emissions. If visible emissions from an emissions unit are observed during these required observations, or at any time, a visible emissions evaluation in accordance with 40 CFR 60, Appendix A, Method 9 shall be conducted on the unit as soon as practicable. A Method 9 evaluation shall not be required if the visible emissions condition is corrected in a timely manner, the emissions unit is operating at normal operating conditions, and the cause and corrective measures taken are recorded. Records of visual observations shall include the following: the name of the observer, date and time of the observation, identification of the stack, an indication of presence or absence of visible emissions, the duration of any visible emission incident, and any corrective action to eliminate visible emissions. If a VEE is conducted, records shall be in accordance with Method 9 (40 CFR 60, Appendix A). The log book shall be kept on site and available for inspection by the DEQ for the most recent five (5) year period.  
(9 VAC 5-50-110 and 9 VAC 5-80-110)

4. **Maintenance/Operating Procedures.** The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment, monitoring devices, and process equipment which affect such emissions:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
- b. Maintain an inventory of spare parts.
- c. Have available written operating procedures for all such equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five (5) years, and shall be made available to DEQ personnel upon request.

(9 VAC 5-80-110 and Condition 23 of 08/09/05 NSR permit)

5. **Establishment and Significance of Approved Performance Ranges.** Normal ranges of performance for control devices listed in Conditions III.A.1 and III.A.2 shall be submitted for approval by DEQ Tidewater Regional Office within 60 days after the effectiveness date of this permit, and a copy of that approval shall be maintained on file at the facility. Exceedances of approved ranges of performance for control devices shall require corrective action, but shall not by themselves be considered violations of limits in this permit.

(9 VAC 5-80-110)

6. **Exceedance Records.** The source shall record parametric action level exceedances of approved normal ranges of performance of control devices, and the corrective actions taken.

(9 VAC 5-80-110)

7. **On Site Records.** The permittee shall maintain records of all emissions data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Tidewater Regional Office. These records shall include, but are not limited to:
- a. Yearly production of polyacrylate, calculated monthly as the sum of each consecutive 12-month period.
  - b. Daily throughput and monthly-average throughput of sulfur bearing chemical F.
  - c. Yearly throughput of chemical T, calculated monthly as the sum of each consecutive 12-month period.
  - d. Certificates of Analyses (COA) for all acrylic acid shipments, including acetic acid and propionic acid contents (in ppmwd).
  - e. Monthly and annual calculations of weighted averages of acetic acid and propionic acid contents (in ppmwd).
  - f. Results of stack testing, and current emission test plan, as required by Conditions III.B.2 and 3.
  - g. Monthly calculations of annual VOC emissions from process line dryers, combined, as required by Conditions III.A.9.
  - h. Visible emission monitoring records, as required by Condition III.C.3.
  - i. On-site listing of performance parameter ranges required by Condition III.C.5 of this permit; and operation and control device monitoring records, including, for the scrubber, weekly records of differential air pressures, liquid flow rates, and NaOH concentrations, and exceedance records required by Condition III.C.6 of this permit.
  - j. Scheduled and unscheduled maintenance, and operator training, for air pollution control equipment.

These records shall be kept at the facility, made available for inspection by the DEQ, and shall be current for the most recent five (5) years.

(9 VAC 5-80-110 and Condition 18 of 08/09/05 NSR permit)

## IV. Facility Wide Conditions

### A. Limitations (Facility Wide)

1. **Facility Wide Emissions Limit.** Annual VOC emissions from this stationary source shall not exceed 94 tons, and shall be calculated monthly based on the previous 12 consecutive months' data. As specified in Conditions V.A and V.B on insignificant emissions units, this limit does not include emissions contributions from those emissions units.  
(9 VAC 5-80-110 and Condition 15 of 08/09/05 NSR permit)
2. **Facility or Control Equipment Malfunction -Hazardous Air Pollutant Processes-** Processes listed below shall, upon request of the Department, shut down immediately if emissions increase in any amount because of a bypass, malfunction, shutdown or failure of a process, or its associated air pollution control equipment. The process shall not return to operation until it and the associated air pollution control equipment are able to operate in the proper manner.
  - a. Storage tank filling and transfers, and associated truck/railcar loadout;
  - b. Reactors and dryers.(9 VAC 5-80-110 and Condition 21 of 08/09/05 NSR permit)
3. **Violation of Ambient Air Quality Standard** - The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.  
(9 VAC 5-80-110 and Condition 22 of 08/09/05 NSR permit)

### B. Monitoring and Recordkeeping (Facility Wide)

1. **On Site Records.** The permittee shall maintain records of all emissions data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be submitted to Tidewater Regional Office for approval not later than 60 days after the effective date of this permit. These records shall include, but are not limited to:
  - a. Monthly emission calculations for facility wide VOC emissions, to verify compliance monthly with the annual VOC emissions limitation in Condition IV.A.1 of this permit.These records shall be kept at the facility, made available for inspection by the DEQ, and shall be current for the most recent five (5) years.  
(9 VAC 5-80-110 and Condition 18.h of 08/09/05 NSR permit)

## V. Insignificant Emissions Units

### A. Insignificant Emissions Units under 9 VAC 5-80-720A.

The following emissions units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720A:

Emissions Unit Description	Citation
Laboratory vents	9 VAC 5-80-720A, reference no. 18
Architectural maintenance, including repainting and sandblasting	9 VAC 5-80-720A, reference no. 7
Miscellaneous comfort air conditioners and ventilation systems	9 VAC 5-80-720A, reference no's. 2, and 9
Office activities (printers, copiers, etc.)	9 VAC 5-80-720A, reference no's 5,10
Interior maintenance activities (use of janitorial cleaning products)	9 VAC 5-80-720A, reference no. 6

These emissions units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

### B. Insignificant Emissions Units under 9 VAC 5-80-720 B and C.

The following emissions units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720 B and 9 VAC 5-80-720 C:

Emissions Unit No.	Emissions Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
TA-1643	Tank 1	9 VAC 5-80-720 B	VOC emissions < 5 tn/yr	
TA-1644	Tank 2	"	VOC emissions < 5 tn/yr	
TA-1698	Tank 3	"	VOC emissions < 5 tn/yr	
TA-1699	Tank 4	"	VOC emissions < 5 tn/yr	
TA-1601	Tank 5	"	VOC emissions < 5 tn/yr	
TA-1680	Tank 6	"	VOC emissions < 5 tn/yr	
TA-1977	Tank 7	"	VOC emissions < 5 tn/yr	
TA-2052	Tank 8	"	VOC emissions < 5 tn/yr	
TA-1576-78	Tank 9-11	"	VOC emissions < 5 tn/yr	
TA-1588	Tank 12	"	VOC emissions < 5 tn/yr	
TA-1590	Tank 13	"	VOC emissions < 5 tn/yr	
TA-1591-95	Tank 14-18	"	VOC emissions < 5 tn/yr	

Insignificant emission units under 9 VAC 5-80-720 B and 9 VAC 5-80-720 C, Continued:

<b>Emissions Unit No.</b>	<b>Emissions Unit Description</b>	<b>Citation</b>	<b>Pollutant(s) Emitted (9 VAC 5-80-720 B)</b>	<b>Rated Capacity (9 VAC 5-80-720 C)</b>
TA-1599	Tank 19	”	VOC emissions < 5 tn/yr	
TA-1600	Tank 20	”	VOC emissions < 5 tn/yr	
TA-1628	Tank 21	”	VOC emissions < 5 tn/yr	
TA-1645	Tank 22	”	VOC emissions < 5 tn/yr	
TA-1646	Tank 23	”	VOC emissions < 5 tn/yr	
TA-1671	Tank 24	”	VOC emissions < 5 tn/yr	
TA-1672	Tank 25	”	VOC emissions < 5 tn/yr	
TA-1682	Tank 26	”	VOC emissions < 5 tn/yr	
TA-1685	Tank 27	”	VOC emissions < 5 tn/yr	
TA-1692	Tank 28	”	VOC emissions < 5 tn/yr	
TA-1707	Tank 29	”	VOC emissions < 5 tn/yr	
TA-1835	Tank 30	”	VOC emissions < 5 tn/yr	
TA-1836	Tank 31	”	VOC emissions < 5 tn/yr	
TA-1854-56	Tank 32-34	”	VOC emissions < 5 tn/yr	
TA-1875	Tank 35	”	VOC emissions < 5 tn/yr	
TA-1876	Tank 36	”	VOC emissions < 5 tn/yr	
TA-1960	Tank 37	”	VOC emissions < 5 tn/yr	
TA-1974	Tank 38	”	VOC emissions < 5 tn/yr	
TA-1975	Tank 39	”	VOC emissions < 5 tn/yr	
TA-1979	Tank 40	”	VOC emissions < 5 tn/yr	
TA-1982	Tank 41	”	VOC emissions < 5 tn/yr	
TA-1984-86	Tank 42-44	”	VOC emissions < 5 tn/yr	
TA-2025	Tank 45	”	VOC emissions < 5 tn/yr	
TA-2060	Tank 46	”	VOC emissions < 5 tn/yr	
TA-2068-70	Tank 47-49	”	VOC emissions < 5 tn/yr	
TA-2077	Tank 50	”	VOC emissions < 5 tn/yr	
TA-2085	Tank 51	”	VOC emissions < 5 tn/yr	
TA-2092	Tank 52	”	VOC emissions < 5 tn/yr	
TA-2112	Tank 53	”	VOC emissions < 5 tn/yr	



Insignificant emission units under 9 VAC 5-80-720 B and 9 VAC 5-80-720 C, Continued:				
Emissions Unit No.	Emissions Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Capacity (9 VAC 5-80-720 C)
Ref # 105		”	VOC emissions < 5 tn/yr	
Ref # 106		”	VOC emissions < 5 tn/yr	
	Wastewater Treatment	”	VOC emissions < 5 tn/yr	

These emissions units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

## VI. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Applicability Description
40 CFR Part 60, Subpart Kb	Performance Standards for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after July 23, 1984	This requirement does not apply to any of the tanks listed as insignificant. The tanks are either smaller in size than 10,000 gallons, or were installed prior to the applicability date of July 23, 1984.
40 CFR Part 60, Subpart JJ	NSPS for Cold Cleaning Operations having a Solvent-Air Interface Area Greater than or Equal to 19 Square Feet	Cold solvent metal cleaning sinks have solvent-air interfaces less than 19 sq. ft.
9 VAC 5-40, Article 25	Emission Standards for VOC Storage and Transfer Operations	VOCs stored in all tanks have vapor pressures below the 1.5 psia applicability threshold for this article.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.  
(9 VAC 5-80-140)

## **VII. General Conditions**

### **A. Federal Enforceability**

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110 N)

### **B. Permit Expiration**

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal, but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied, and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant to section 9 VAC 5-80-80 D, the applicant fails to submit, by the deadline specified in writing by the Board, any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D, and 9 VAC 5-80-170 B)

### C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
  - a. The date, place as defined in the permit, and time of sampling or measurements.
  - b. The date(s) analyses were performed.
  - c. The company or entity that performed the analyses.
  - d. The analytical techniques or methods used.
  - e. The results of such analyses.
  - f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
- b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:

- (1) Exceedance of emissions limitations or operational restrictions;
- (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,
- (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”

(9 VAC 5-80-110 F)

#### **D. Annual Compliance Certification**

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)  
U. S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)

#### **E. Permit Deviation Reporting**

The permittee shall notify the Director, Tidewater Regional Office, within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition VII.C.3 of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

**F. Failure/Malfunction Reporting**

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Tidewater Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction, and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Tidewater Regional Office.  
(9 VAC 5-20-180 C)

**G. Severability**

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.  
(9 VAC 5-80-110 G.1)

**H. Duty to Comply**

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.  
(9 VAC 5-80-110 G.2)

**I. Need to Halt or Reduce Activity not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.  
(9 VAC 5-80-110 G.3)

**J. Permit Modification**

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000, and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.  
(9 VAC 5-80-190 and 9 VAC 5-80-260)

**K. Property Rights**

The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9 VAC 5-80-110 G.5)

**L. Duty to Submit Information**

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.  
(9 VAC 5-80-110 G.6)
2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.  
(9 VAC 5-80-110 K.1)

**M. Duty to Pay Permit Fees**

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by **April 15** of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.  
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

**N. Fugitive Dust Emission Standards**

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;

4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90 and 9 VAC 5-50-90)

**O. Startup, Shutdown, and Malfunction**

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20 E)

**P. Alternative Operating Scenarios**

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

**Q. Inspection and Entry Requirements**

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

#### **R. Reopening For Cause**

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of an applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

#### **S. Permit Availability**

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

#### **T. Transfer of Permits**

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.  
(9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)



**U. Malfunction as an Affirmative Defense**

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
  - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
  - b. The permitted facility was at the time being properly operated.
  - c. During the period of malfunction, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit.
  - d. The permittee notified the board of the malfunction within two working days following the time when the emissions limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, telegraph, or any other method that allows the permittee to comply with the deadline. The notice fulfills the requirement of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirements under 9 VAC 5-20-180 C.
3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

**V. Permit Revocation or Termination for Cause**

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-190 C and 9 VAC 5-80-260)

**W. Duty to Supplement or Correct Application**

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

**X. Stratospheric Ozone Protection**

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

**Y. Asbestos Requirements**

The permittee shall comply with the requirements of National Emission Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).

(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

**Z. Accidental Release Prevention**

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.

(40 CFR Part 68)

**AA. Changes to Permits for Emissions Trading**

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.

(9 VAC 5-80-110 I)

#### **BB. Emissions Trading**

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.  
(9 VAC 5-80-110 I)

### **VIII. State-Only Enforceable Requirements**

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

#### **A. HAP Emission Limits - Raw Materials Storage and Handling**

Emissions from Raw Materials Storage and Handling shall not exceed limits specified below:

<i><b>Source</b></i>	<i><b>Lb/hr</b></i>	<i><b>Tn/yr</b></i>	<i><b>Pollutant</b></i>
Raw material feed tanks (combined)	0.24	1.04	Acrylic Acid
Raw material adjustment tanks (combined)	0.04	0.01	Acrylic Acid
Storage tanks, truck/railcar loadout, and scrubber (combined)	0.23	0.15	Acrylic Acid
<b>TOTAL (STORAGE AND HANDLING)</b>	<b>0.51</b>	<b>1.20</b>	<b>Acrylic Acid</b>

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers III.A.2 and 3, and III.C.2 and 7. (9 VAC 5-80-110 and Condition 28 of NSR permit dated 08/09/05)

**B. HAP Emission Limits - Process Lines**

Emissions from Process Lines shall not exceed limits specified below:

<i><b>Source</b></i>	<i><b>Lb/hr</b></i>	<i><b>Tn/yr</b></i>	<i><b>Pollutant</b></i>
Reactors, combined	2.4	2.52	Acrylic Acid
Dryers, combined	14.0	35.6	Acrylic Acid
TOTAL (PROCESS LINES, COMBINED)	16.4	38.1	Acrylic Acid

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers III.A.3 to 5, and 9, III.B.2 and 3, and III.C.7.

(9 VAC 5-80-110 and Condition 29 of NSR permit dated 08/09/05)

**C. Odorous Discharges**

Emissions shall not be discharged outside the facility boundary which cause an odor objectionable to persons with ordinary sensitivity.

(9 VAC 5-40-140, 9 VAC 5-80-110 N, and 9 VAC 5-80-300)

**D. BACT for Odor**

Best available control technology (BACT), as approved by the Board, and reflected in any permit condition, shall be used to control odorous emissions.

(9 VAC 5-40-140, 9 VAC 5-80-110 N, and 9 VAC 5-80-300)

**E. Compliance with Chapter 60, Part II, Articles 4 and 5 for Toxics**

The facility shall operate in compliance with Chapter 60, Part II, Article 4 (Standards of Performance for Toxic Pollutants for existing sources constructed/modified before 3/17/72, or reconstructed before 12/10/76); and Chapter 60, Part II, Article 5 (Standards of Performance for Toxic Pollutants for sources constructed/modified after 3/17/72, or reconstructed on or after 12/10/76). No changes in the facility that alter emissions of any air toxic pollutant or cause the emission of additional air toxic pollutants shall be made without the prior written approval of the Board.

(9 VAC 5-60-200 through 270, 9 VAC 5-60-300 through 370, 9 VAC 5-80-110 N, and 9 VAC 5-80-300)

**To:**           **Air Compliance Manager**  
**Department of Environmental Quality – Tidewater Regional Office**  
**5636 Southern Blvd.**  
**Virginia Beach, VA 23462**

**From:**       **(Facility Name)**  
  
**Registration No.** \_\_\_\_\_

**Re:**           **TITLE V ANNUAL COMPLIANCE CERTIFICATION**

**Date:**

                    Please find attached our Title V Annual Compliance Certification for the period from \_\_\_\_/\_\_\_\_/\_\_\_\_ to \_\_\_\_/\_\_\_\_/\_\_\_\_. It identifies each term or condition of the permit that is the basis of the certification. All deviations and periods of non-compliance for the period have been addressed in semi-annual monitoring reports that have either been previously submitted or are enclosed.

**Certification:** I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

\_\_\_\_\_  
*(Signature )*

\_\_\_\_\_  
*(Name & Title)*

cc:   Director, Air and Waste Division (Mail drop 3AP00)  
      United States Environmental Protection Agency -- Region III  
      1650 Arch Street  
      Philadelphia, PA 19103-2029

*(Annual Compliance Certifications are due 60 days following end of reporting period.)*

**To:** Air Compliance Manager  
Department of Environmental Quality – Tidewater Regional Office  
5636 Southern Blvd.  
Virginia Beach, VA 23462

**From:** (Facility Name)

**Reg. No.** \_\_\_\_\_

**Re:** PROMPT DEVIATION REPORT – Pursuant to Title V Permit

**Date:**

This confirms the deviation reported to the Regional Office at \_\_\_\_\_ o'clock on \_\_\_\_/\_\_\_\_/\_\_\_\_. The details are described below. The deviation may have caused excess emissions for more than one hour, consistent with specified averaging times. None of these deviations were related to a malfunction.

Start date & time:	End date & time:	Estimated Duration:
Deviation from which permit condition ( <i>condition number and brief description</i> ):		
Description of incident ( <i>including emission unit affected</i> ):		
Description of Monitoring Requirement for affected unit(s):		
Probable cause:		
Description of corrective measures taken ( <i>demonstrating a timely &amp; appropriate response</i> ):		
Description of preventive measures taken:		

**Certification:** I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

\_\_\_\_\_  
(Signature )

\_\_\_\_\_  
(Name & Title)

To: Air Compliance Manager  
Department of Environmental Quality – Tidewater Regional Office  
5636 Southern Blvd.  
Virginia Beach, VA 23462

From: (Facility Name)

Reg. No. \_\_\_\_\_

Re: SEMI-ANNUAL MONITORING REPORT – Pursuant to Title V Permit

Date:

*The following monitoring report is submitted as required by our Title V permit. For the purposes of this report, deviation means (1) exceedances of emission limits, as determined by such means as stack testing, continuous emission monitors, parametric monitoring and EPA Method 9 visible emission evaluations; (2) excursions from control device operating parameter requirements such as afterburner temperature, scrubber flow rate, baghouse pressure drop; (3) excursions from operational restrictions things such as throughput, fuel quality, and coating VOC and HAP content; and (4) failure to meet monitoring, record keeping or reporting requirements. The report addresses all data points, which are above a standard, limit etc, according to the averaging period, if any, specified in the permit. If no averaging period is specified in the permit, then any monitored reading is considered a deviation to be reported. Deviations are reported regardless of whether they may have caused excess emissions or whether they were the result of a malfunction.*

The period covered by the report is from \_\_\_\_/\_\_\_\_/\_\_\_\_ to \_\_\_\_/\_\_\_\_/\_\_\_\_.

During the reporting period:

- ☐ No deviations from permit requirements occurred during this semi-annual reporting period. (We conducted all required monitoring and associated record keeping and reporting. Required monitoring revealed no deviations from permit requirements. )
- ☐ We failed to conduct required monitoring/record keeping/reporting as explained on the attached form.
- ☐ We identified deviations as a result of required monitoring:
- ☐ Deviations were addressed in CEM Excess Emission Report(s) dated: \_\_\_\_\_
- ☐ Deviations were addressed in Fuel Report(s) dated: \_\_\_\_\_
- ☐ Deviations were addressed in MACT Report(s) dated: \_\_\_\_\_
- ☐ Deviations due to malfunctions were addressed in letters dated: \_\_\_\_\_
- ☐ Deviations were addressed in other report(s) dated: \_\_\_\_\_
- Type of report: \_\_\_\_\_
- ☐ Deviations were previously described in Prompt Deviation Reports dated:
- \_\_\_\_\_
- \_\_\_\_\_
- ☐ “Other” deviations, which were not previously reported, are described in the attachment.

Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

\_\_\_\_\_  
(Signature )

\_\_\_\_\_  
(Name & Title)

### **FAILURE TO MONITOR, KEEP RECORDS OR REPORT** **Submitted as Part of Semi-Annual Monitoring Report**

Registration No. \_\_\_\_\_

Page \_\_\_\_\_ of \_\_\_\_\_

[illegible]



Cond. No.	TERMS & CONDITIONS CONTAINED IN THE PERMIT <i>(list in order)</i>	MEANS OF DETERMINING COMPLIANCE STATUS	TYPE OF DATA THE MEANS PROVIDES	PERIODS OF NON- COMPLIANCE
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No



**“OTHER” DEVIATIONS****Submitted as Part of Semi-Annual Monitoring Report**

Registration No. \_\_\_\_\_

Page \_\_\_\_\_ of \_\_\_\_\_

<b>Condition No. &amp; Description of Requirement</b>	<b>Description of Deviation (time, emission unit, description of event, cause)</b>	<b>Description of Associated Monitoring Requirement</b>	<b>Description of corrective measures taken (<i>demonstrating a timely &amp; appropriate response</i>)</b>

*(Report deviations which may have caused excess emissions for more than one hour on a deviation report form, not here.)*